

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK**

----- X
 --
 In the matter of the Application of :
 CLEARVIEW AI, INC., : Index No. [] E
 Petitioner, :
 For an Order Pursuant to Article 75 of the Civil : **[PETITIONER'S**
 Practice Law and Rules to Confirm the Parties' : **PROPOSED] JUDGMENT**
 Arbitration Award,
 v. :
 INVESTIGATIVE CONSULTANTS, INC. AND :
 DONALD BERLIN,
 Respondents. :
 ----- X

Petitioner Clearview AI, Inc. seeks an order confirming the arbitration award of the American Arbitration Association (AAA), Case No. 01-23-0002-6322, dated November 7, 2024, pursuant to CPLR 7510, and entry of judgment thereon pursuant to CPLR 7514.

Under CPLR § 7510, the Court “shall confirm” Clearview’s award if (1) Clearview brought its petition “within one year after its delivery” and (2) “unless the award is vacated or modified.” Both requirements are satisfied. First, the arbitration award was delivered to Clearview on November 7, 2024, and Clearview brought its petition well within the one-year time limit. Second, the award has not been vacated or modified under New York law.

“Giving the word ‘shall’ its ordinary meaning, [this Court is] directed unequivocally by CPLR 7510 to confirm an arbitration award if a timely application is made whenever the award is not vacated or modified under CPLR 7511.” *Bernstein Fam. Ltd. P'ship v. Sovereign Partners, L.P.*, 66 A.D.3d 1, 5 (N.Y. App. Div. 2009).

Under CPLR 7514, “judgment shall be entered upon the confirmation of the award.”

Accordingly, it is ORDERED that:

1. The Petition is granted, and the Award dated November 7, 2024, is hereby confirmed;
2. The Clerk shall enter this Judgment in favor of Clearview AI, Inc. (1) against Investigative Consultants, Inc. for compensatory damages of \$873,000, plus pre-judgment interest of 9% per year running from August 1, 2019 through December 7, 2024, plus post-judgment interest at the statutory rate of 9% per year running from December 7, 2024; (2) against Investigate Consultants, Inc. for \$193,228.39 in costs and fees, plus post-judgment interest at the statutory rate of 9% per year running from December 7, 2024; (3) against Investigative Consultants, Inc. and Donald Berlin, jointly and severally, for \$64,409.47 in costs and fees, plus post-judgment interest at the statutory rate of 9% per year running from December 7, 2024; and (4) against Investigate Consultants, Inc. and Donald Berlin, jointly and severally, for \$_____, Clearview's costs in bringing this proceeding, which shall be entered by the clerk. The amounts set forth in this judgment are payable as of December 7, 2024, and shall be enforceable immediately upon entry of judgment.

Date

The Honorable Judge

Respectfully submitted,

/s/ Maria Ibrahim

Date: December 23, 2024

Maria Ibrahim
Associate Legal Counsel, Clearview AI, Inc.
99 Wall Street, #5730
New York, NY 10005
Maria.Ibrahim@clearview.ai
346-492-8220

Collin Vierra (*pro hac vice forthcoming*)
Eimer Stahl LLP
1999 South Bascom Avenue
Suite 1025
Campbell, CA 95008
cvierra@eimerstahl.com
408-889-1668

Counsel for Clearview AI, Inc.